

ARTICLE 98-01

GENERAL ADMINISTRATION

Chapter
98-01-01 Organization of Office of Administrative Hearings

CHAPTER 98-01-01 ORGANIZATION OF OFFICE OF ADMINISTRATIVE HEARINGS

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98-01-01-01. History. The office of administrative hearings was established July 1, 1991, as a result of the passage of Senate Bill No. 2234 in the fifty-second legislative assembly. See S.L. 1991, ch. 637. The office must provide independent hearing officers for state agencies, boards, and commissions that are required to use independent hearing officers to conduct their hearings, and may provide independent hearing officers for other requesting state agencies, boards, and commissions, tribal governments in this state, the judicial branch, and units of local government, as well as for any agency to conduct a rulemaking hearing.

History: Effective January 1, 1992; amended effective August 1, 2004.

General Authority: NDCC 28-32-02.1

Law Implemented: NDCC 28-32-02.1, 54-57-03

98-01-01-02. Application of North Dakota Century Code chapter 28-32. The office of administrative hearings itself is an agency subject to chapter 28-32. It is required to conduct hearings for other agencies that are subject to chapter 28-32. When conducting hearings for agencies subject to chapter 28-32, its hearing officers must conduct those hearings in accordance with the provisions of chapter 28-32 and any rules adopted pursuant to it. The office of administrative hearings is also required to provide hearing officers for the hearings of some agencies not subject to chapter 28-32. When conducting hearings for agencies not subject to chapter 28-32, its hearing officers need not conduct the hearing according to the provisions of chapter 28-32 and rules adopted pursuant to it. Additionally, the provisions of chapter 28-32, and rules adopted pursuant to it, do not apply to any hearings conducted by the office of administrative hearings for units of local government, tribal governments in this state, or the judicial branch, for which the office of administrative hearings may provide a hearing officer upon request.

History: Effective January 1, 1992; amended effective August 1, 2004.

General Authority: NDCC 28-32-02.1

Law Implemented: NDCC 28-32-02.1, 54-57-03

98-01-01-03. Inquiries. Any inquiries concerning the office of administrative hearings, the uniform rules of administrative procedure for adjudicative proceedings adopted by it, or any of the laws relating to the office of administrative hearings or the uniform rules may be addressed to:

Director
Office of Administrative Hearings
1707 North Ninth Street
Bismarck, ND 58501

History: Effective January 1, 1992; amended effective August 1, 2004.

General Authority: NDCC 28-32-02.1

Law Implemented: NDCC 28-32-02.1